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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,346

12/19/2005

Toshiki Kindo

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RATNERPRESTIA

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EXAMINER

CABRERA, ZOILA E

ART UNIT

PAPER NUMBER

2123

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/561,346	Applicant(s) KINDO ET AL.	
	Examiner Zoila E. Cabrera	Art Unit 2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 5-9, 14 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-13 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-19 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/19/05; 2/10/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-4, 10-13, 15-18, drawn to an information processing apparatus classified in Class 700/121.

Group II, claim(s) 5-7, 14, 19, drawn to a production apparatus and a method for producing a board including a deleting unit for deleting NC data classified in Class 700/117.

Group III, claim(s) 8-9, drawn to a board comprising a storage unit and the storage unit is an RFID classified in 700/109.

The inventions listed as Groups I, II and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: As stated

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above, Group I is directed to an information processing apparatus and method of producing a board and Group II is directed to a production apparatus and a method for producing a board including a deleting unit for deleting NC data. Group III is directed to a board comprising a storage unit and the storage unit is an RFID.

During a telephone conversation with Lawrence E. Ashery on March 6, 2008 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-4, 10-13, 15-18. Affirmation of this election must be made by applicant in replying to this Office action. Claims 5-9, 14, 19 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Information Disclosure Statement

2. The substitute IDS filed on February 10, 2006 has been duly considered and signed herewith. The previous IDS of February 19, 2005 has been crossed out as it was replaced by the corrected IDS of February 10, 2006.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 10-13, 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by **Billington et al. (US 5,258,915)**.

Regarding claims 1-4, Billington discloses:

1. (Currently Amended)An information processing apparatus comprising:
a line information storage unit for storing a plurality of pieces of line information, each of the pieces of line information (Col. 5, lines 5-31)including
a line identifier for identifying a production line of a board(Col. 5, lines 5-31; Col. 6, lines 55-68), board size information indicating a size of the board that can be produced by the production line identified by the line identifier (Col. 5, lines 5-31; Col. 6, lines 40-53; Col. 7, lines 17-37; Col. 8, lines 46-60), and component information about at least one component mountable on the board in the production line identified by the line identifier (Col. 5, lines 5-31); a data reception unit for receiving numerical control (NC) data for producing a first board, the NC data including board size information and

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first component information about a component mountable on the first board, the board size information indicating a size of the first board (Col. 5, lines 5-31; Col. 7, lines 17-37; Col. 8, lines 46-60); a line identifier acquiring unit for acquiring a line identifier out of each line identifier of the pieces of the line information stored in the line information storage unit according to the NC data, the line identifier indicating a first production line capable of producing the first board (Col. 5, lines 5-31; Col. 6, lines 55-68); and an output unit for outputting the line identifier acquired by the line identifier acquiring unit (Fig. 7).

2. (Original) The information processing apparatus of claim 1,

wherein each of the pieces of the line information further includes production capacity information indicating a production capacity of the production line identified by the line identifier included in each of the pieces of the line information (Fig. 7; Col. 4, lines 13-22), and production schedule information indicating a schedule of the board to be produced in the production line (Col. 9, lines 37-51), wherein the data reception unit receives production number information and the NC data, the production number information indicating a number of the first board to be produced (Col. 9, lines 37-51), and wherein the output unit outputs the line identifier acquired and the production schedule of the first board at the first production line (Fig. 7; Col. 9, lines 37-51).

3. (Original) The information processing apparatus of claim 1, wherein the output unit further outputs information indicating a production commission (Figs. 6-9).

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4. (Original) The information processing apparatus of claim 1, further comprising a charging processor for performing a charge processing according to an output of the output unit (Figs. 6-9).

As for claims 10-13, 15-18 the same citations applied to claims 1-4 above apply as well for these claims.

4. Claims 1, 10 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by **Gyorfi et al. (US 6,829,514)**.

As for claims 1, 10 and 15, **Gyorfi** discloses

1. (Currently Amended)An information processing apparatus comprising:
a line information storage unit for storing a plurality of pieces of line information (Col. 3, line 62 to Col. 4, line 10), each of the pieces of line information including a line identifier for identifying a production line of a board (Col. 3, line 62 to Col. 4, line 10), board size information indicating a size of the board that can be produced by the production line identified by the line identifier (Col. 3, line 62 to Col. 4, line 10), and component information about at least one component mountable on the board in the production line identified by the line identifier (Col. 3, line 62 to Col. 4, line 10); a data reception unit for receiving numerical control (NC) data for producing a first board, the NC data including board size information and first component information about a component mountable on the first board, the board size information indicating a size of the first board (Fig. 7; Col. 3, line 62 to Col. 4, line 10); a line identifier acquiring unit for acquiring a line identifier out of each line identifier of the pieces of the line information

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stored in the line information storage unit according to the NC data, the line identifier indicating a first production line capable of producing the first board (Fig. 7; Col. 4, lines 5-10); and an output unit for outputting the line identifier acquired by the line identifier acquiring unit (Col. 5, lines 1-28).

As for claims 10 and 15, the same citations applied to claim 1 above apply as well for these claims.

Conclusion

5. The prior art of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zoila E. Cabrera whose telephone number is 571-272-3738. The examiner can normally be reached on M-F from 8:00 a.m. to 5:30 p.m. EST (every other Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez, can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/ZEC/

August 18, 2008

/Zoila E. Cabrera/

Primary Examiner, Art Unit 2123